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December 4, 2019

BY ECF

MEMO ENDORSED

Hon. Judge Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Grass Brands LLC v. Agent Provocateur IP Limited*, No. 1:19-cv-06468-KMW (S.D.N.Y.)

Dear Judge Wood:

We represent Defendant Agent Provocateur IP Limited in this action. We write pursuant to Your Honor's Individual Practices to request an adjournment of the Initial Rule 16 Conference ("Initial Conference") currently scheduled for Wednesday, December 11, 2019 at 2:00 P.M.

This is the second request for adjournment of the Initial Conference, which was originally scheduled for September 12, 2019. Counsel for Plaintiff requested the first adjournment because, at the time, service had not yet been affected on Defendant, which is located in the U.K.

Since that time, Defendant has executed a Rule 4(d) waiver of service, and its deadline to respond to the Complaint is December 9, 2019, only two days before the Initial Conference as currently scheduled. As Defendant has not yet filed an answer, the full range of issues in the proceeding are not yet known. Although Plaintiff's counsel had prepared a proposed Scheduling Order, Discovery Plan and joint letter pursuant to The Order and Notice of Initial Conference dated July 30, 2019, Defendant respectfully submits that it is premature for the parties to hold the required Rule 26(f) conference or develop a proposed schedule or discovery plan until after an answer is filed.

In light of the above circumstances, Defendant respectfully requests that the Initial Conference be adjourned until January 6, 2020 or after. Plaintiff Grass Brands LLC has consented to this adjournment, although it has advised Plaintiff that it does not agree to Defendant's statement above that "the full range of issues in the proceeding are not yet known." The requested adjournment does not affect any other scheduled dates.

Respectfully yours,

Laura Popp-Rosenberg

*The request is granted. The
conference is adjourned to January 15,
2020, at 2:00 P.M. 12-10-19*

SO ORDERED, N.Y., N.Y.

KIMBA M. WOOD
U.S.D.J.

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cc: Lee A. Goldberg, Esq.